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Applicant : Nikolaus Theres  
Serial No. : 09/403,262  
Filed : October 15, 1999  
Title : PLANTS WITH CONTROLLED SIDE-SHOOT FORMATION AND/OR  
CONTROLLED ABSCISSION ZONE FORMATION

Art Unit : 1638  
Examiner : Mehta, A.

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 13, 2001

Please amend the application as indicated below and consider the following remarks.

In the Specification:

Please replace the paragraphs at page 12, line 23, to page 13, line 16, with the following new paragraphs:

A' --Figures 5A and 5B show the nucleotide sequence (SEQ ID NO:1) and the amino acid sequence (SEQ ID NO:2) derived therefrom (one letter code) of the Ls wild type gene from tomato (*Lycopersicon esculentum*).

Figures 6A and 6B show the nucleotide sequence (SEQ ID NO:9) and amino acid sequence (SEQ ID NO:10) derived therefrom (one letter code) of the Ls homologous gene from potato (*Solanum tuberosum*).

Figure 7 shows the nucleotide sequence (SEQ ID NO:13) and the amino acid (SEQ ID NO:14) sequence derived therefrom (one letter code) of a 687 bp DNA fragment of the Ls homologous gene from *Arabidopsis thaliana*.

Figure 8 shows an alignment of amino acid sequences of the Ls polypeptide derived from *Arabidopsis thaliana* (LsAt)(SEQ ID NO:14), *Lycopersicon esculentum* (LsLe)(SEQ ID NO:2) and *Solanum tuberosum*

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

7 March 13, 2002  
Date of Deposit

*Anne Roy*  
Signature

Anne Roy  
Typed or Printed Name of Person Signing Certificate